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Attorney Docket No. 20518/53 (S-8503)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Carlyon et al.

Application No.: 10/698,869

Group Art Unit: 3763

FILED: October 31, 2003

Examiner: Unknown

Confirmation No: 2018

FOR: SAFETY SHIELD

CERTIFICATE OF MAILING BY FIRST CLASS MAIL (37 CFR 1.8)

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner of Patents, P.O. Box 1450, Alexandria VA 22313-1450 on:

By: Marilyn Bogus
Marilyn Bogus

October 15, 2004
Date

INFORMATION DISCLOSURE STATEMENT

Commissioner of Patents
P.O. Box 1450
Alexandria VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §§ 1.97 and 1.98, applicant hereby submits an Information Disclosure Statement for consideration by the Examiner.

I. LIST OF PATENTS, PUBLICATIONS OR OTHER INFORMATION

The patents, publications or other information submitted for consideration by the Office are listed on PTO-1449, attached hereto.

II. COPIES

- a. X **Submitted herewith is a legible copy of (i) each U.S and foreign patent; (ii) each publication or that portion which caused it to be listed; and (iii) all other information or that portion which caused it to be listed.**

*** Waiver**

The Office hereby waives the requirement under 37 CFR 1.98 (a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication for all U.S. national patent applications filed after June 30, 2003 and for all international applications that have entered the national stage under 35 USC § 371 after June 30, 2003. *See* 37 CFR 1.491(b).

III. CONCISE EXPLANATION OF THE RELEVANCE

(check at least one box)

- a. X **Except as may be indicated below in (b), all of the patents, publications or other information are in the English language or were cited in an English language Search Report, a copy of which is attached hereto (concise explanation not required).**
- b. A concise explanation of the relevance of all patents, publications or other information listed that is not in the English language is as follows:
- c. The following additional information is provided for the Examiner's consideration:

FEES

IV. THIS IDS IS BEING FILED UNDER 37 C.F.R. § 1.97(b)

(check one box)

- a. _____ within three months of the filing date of a national application (37 C.F.R. § 1.97(b) (1)). No fee or certification is required.
- b. _____ within three months of the date of entry of the national stage as set forth in §1.491 in an international application (37 C.F.R. § 1.97(b) (2)). No fee or certification is required.
- c. X before the mailing date of a first Action on the merits (37 C.F.R. § 1.97(b) (3)). No fee or certification is required. In the event that a first Office Action on the merits has been issued, please consider this IDS under 37 C.F.R. § 1.97(c) and see the certification under 37 C.F.R. § 1.97(e) below, or, if no certification has been made, charge our deposit account a fee in the amount of \$180.00 as required by 37 C.F.R. § 1.17(p).

V. THIS IDS IS BEING FILED UNDER 37 C.F.R. § 1.97(c):

(check one box)

before the mailing date of a Final Office Action under 37 C.F.R. § 1.113 (See 37 C.F.R. § 1.97(c) (1)) or before the mailing date of a Notice of Allowance under 37 C.F.R. § 1.311 (See 37 C.F.R. § 1.97(c) (2)).

- a. _____ No certification; therefore, a fee in the amount of \$180.00 is required by 37 C.F.R. . § 1.17(p).

or

- b. X See the certification below. No fee is required.

VI. CERTIFICATION UNDER 37 C.F.R. § 1.97(e) (check only one box)

The undersigned hereby certifies that

- a. _____ each item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS; or
- b. _____ no item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application or, to the best of my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this statement.
- c. _____ Some of the items of information were cited in a communication from a foreign Patent Office. As to this information, the undersigned certifies that each item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS. As to the remaining information, the undersigned hereby certifies that no item of this remaining information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application or, to the best of my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this statement.

_____ Please charge Deposit Account No. 50-0369 in the amount of \$180.00 for the above-indicated fee. A triplicate copy of this paper is attached.

X No fee is required.

VII. THIS IDS IS BEING FILED UNDER 37 C.F.R. § 1.704(d) (PATENT TERM ADJUSTMENT)

Applies to original applications (other than design) filed on or after May 29, 2000

- a. _____ Each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in § 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.
- b. X Enclosed herewith is form PTO-1449.
- c. _____ The listed references were cited in the enclosed International Search Report in a counterpart foreign application.

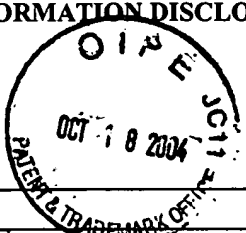
If the Examiner has any questions concerning this IDS, he/she is requested to contact the undersigned. If it is determined that this IDS has been filed under the wrong rule, the PTO is requested to consider this IDS under the proper rule (with a petition, if necessary) and charge the appropriate fee to Deposit Account No. 500369.

Respectfully submitted,

Date: 10-15-2004



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|---|--|----------------------------|-------------|--|--------------|--|----------------------------------|
| FORM PTO-1449 INFORMATION DISCLOSURE STATEMENT | | | | ATTY DOCKET NO. 20518/53 (S-8503) | | SERIAL NO. 10/698,869 | |
|  | | | | APPLICANT(S): Carlyon et al. | | | |
| | | | | FILING DATE: October 31, 2003 | | ART UNIT: 3763 | |
| UNITED STATES PATENT DOCUMENTS | | | | | | | |
| EXAM. INITIAL | | DOCUMENT NUMBER | DATE | INVENTOR | CLASS | SUB CLASS | FIL. DATE IF APPR |
| | | 1,115,561 | 11/1914 | Northey | 604 | 192 | |
| | | 1,436,707 | 11/28/1922 | G. Gaschke | | | |
| | | 1,518,531 | 12/1924 | Lung | 604 | 272 | |
| | | 2,854,976 | 10/1958 | Heydrich | 604 | 192 | |
| | | 3,884,230 | 5/1975 | Wuff | 128 | 221 | |
| | | 3,890,971 | 6/1975 | Leeson et al. | 128 | 218 | |
| | | 3,904,033 | 9/1975 | Haerr | 604 | 263 | |
| | | 3,976,070 | 8/1976 | Dumont | 128 | 221 | |
| | | 4,026,287 | 5/1977 | Haller | 128 | 215 | |
| | | 5,258,713 | 3/1981 | Wardlaw | 128 | 218 | |
| | | 4,266,543 | 5/1981 | Blum | 128 | 218 | |
| | | 4,392,859 | 7/1983 | Dent | 604 | 198 | |
| | | 4,425,120 | 1/1984 | Sampson et al. | 604 | 198 | |
| | | 4,482,348 | 11/1984 | Dent | 604 | 198 | |
| | | 4,573,976 | 3/1986 | Sampson et al. | 604 | 198 | |
| | | 4,631,057 | 12/1986 | Mitchell | 604 | 198 | |
| | | 4,639,249 | 1/1987 | Larson | 604 | 198 | |
| FOREIGN PATENT DOCUMENTS | | | | | | | |
| | | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUB CLASS | TRAN Y/N |
| | | | | | | | |
| OTHER DOCUMENTS (INCLUDING AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.) | | | | | | | |
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| UNITED STATES PATENT DOCUMENTS | | | | | | | |
| EXAM. INITIAL | | DOCUMENT NUMBER | DATE | INVENTOR | CLASS | SUB CLASS | FIL. DATE IF APPR |
| | | 4,643,199 | 2/1987 | Jennings Jr. et al. | 604 | 763 | |
| | | 4,643,200 | 2/1987 | Jennings Jr. et al. | 128 | 963 | |
| | | 4,664,654 | 5/1987 | Strauss | 604 | 198 | |
| | | 4,676,783 | 6/1987 | Jagger et al. | 604 | 171 | |
| | | 4,681,567 | 7/1987 | Masters et al. | 604 | 198 | |
| | | 4,693,708 | 9/1987 | Wanderer et al. | 604 | 198 | |
| | | 4,695,274 | 9/1987 | Fox | 604 | 198 | |
| | | 4,723,943 | 2/1988 | Spencer | 604 | 198 | |
| | | 4,728,320 | 3/1988 | Chen | 604 | 192 | |
| | | 4,737,144 | 4/1988 | Choksi | 604 | 198 | |
| | | 4,738,663 | 4/1988 | Bogan | 604 | 198 | |
| | | 4,743,233 | 5/1988 | Schneider | 604 | 192 | |
| | | 4,747,831 | 05/31/1988 | Kulli | 604 | 110 | |
| | | 4,747,836 | 5/1988 | Luther | 604 | 198 | |
| | | 4,747,837 | 5/1988 | Hauck | 604 | 198 | |
| | | 4,752,290 | 6/1988 | Schramm | 604 | 198 | |
| | | 4,770,655 | 9/1988 | Haber et al. | 604 | 110 | |
| FOREIGN PATENT DOCUMENTS | | | | | | | |
| | | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUB CLASS | TRAN Y/N |
| | | | | | | | |
| OTHER DOCUMENTS (INCLUDING AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.) | | | | | | | |
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| UNITED STATES PATENT DOCUMENTS | | | | | | | |
| EXAM. INITIAL | | DOCUMENT NUMBER | DATE | INVENTOR | CLASS | SUB CLASS | FIL. DATE IF APPR |
| | | 4,772,272 | 9/1988 | McFarland | 604 | 198 | |
| | | 4,775,363 | 10/1988 | Sandsdalen | 604 | 110 | |
| | | 4,781,684 | 11/1988 | Trenner | 604 | 110 | |
| | | 4,790,827 | 12/1988 | Haber et al. | 604 | 198 | |
| | | 4,790,828 | 12/1988 | Dombrowski et al. | 604 | 198 | |
| | | 4,804,372 | 2/1989 | Laico et al. | 604 | 198 | |
| | | 4,810,248 | 3/1989 | Masters et al. | 604 | 192 | |
| | | 4,813,426 | 3/1989 | Haber et al. | 128 | 763 | |
| | | 4,816,022 | 3/1989 | Poncy | 604 | 198 | |
| | | 4,819,659 | 4/1989 | Sitar | 128 | 764 | |
| | | 4,820,275 | 4/1989 | Haber et al. | 604 | 198 | |
| | | 4,826,488 | 5/1989 | Nelson et al. | 604 | 192 | |
| | | 4,826,490 | 5/1989 | Byrne et al. | 604 | 198 | |
| | | 4,826,491 | 5/1989 | Schramm | 604 | 198 | |
| | | 4,834,718 | 05/30/1989 | McDonald | 604 | 195 | |
| | | 4,911,694 | 3/1990 | Dolan | 604 | 110 | |
| | | 4,929,241 | 05/29/1990 | Kulli | 604 | 263 | |
| | | 4,935,013 | 6/1990 | Haber | 604 | 192 | |
| | | 4,944,725 | 07/31/1990 | McDonald | 604 | 164.08 | |
| FOREIGN PATENT DOCUMENTS | | | | | | | |
| | | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUB CLASS | TRAN Y/N |
| OTHER DOCUMENTS (INCLUDING AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.) | | | | | | | |
| Publication No.: US 2001/0018573 A1 Publication Date: 08/30/2001, Inventor: Woehr, 604/164.07 | | | | | | | |
| Examiner: | | | | | Date: | | |

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| UNITED STATES PATENT DOCUMENTS | | | | | | | |
| EXAM. INITIAL | | DOCUMENT NUMBER | DATE | INVENTOR | CLASS | SUB CLASS | FIL. DATE IF APPR |
| | | 4,952,207 | 08/28/1990 | Lemieux | 604 | 164.08 | |
| | | 5,053,017 | 10/01/1991 | Chamuel | 604 | 192 | |
| | | 5,059,180 | 10/22/1991 | McLees | 604 | 110 | |
| | | 5,215,525 | 06/01/1999 | Sturman | 604 | 164.08 | |
| | | 5,279,591 | 01/18/1994 | Simon | 604 | 263 | |
| | | 5,312,359 | 05/17/1994 | Wallace | 604 | 164.08 | |
| | | 5,322,517 | 06/21/1994 | Sircom et al. | 604 | 198 | |
| | | 5,328,482 | 07/12/1994 | Sircom et al. | 604 | 164 | |
| | | 5,334,158 | 08/02/1994 | McLees | 604 | 110 | |
| | | 5,344,408 | 09/06/1994 | Partika | 604 | 192 | |
| | | 5,405,323 | 04/11/1995 | Rogers et al. | 604 | 508 | |
| | | 5,411,486 | 05/02/1995 | Zadini et al. | 604 | 198 | |
| | | 5,417,659 | 05/23/1995 | Gaba | 604 | 110 | |
| | | 5,425,718 | 06/20/1995 | Tay et al. | 604 | 164.11 | |
| | | 5,458,658 | 10/17/1995 | Sircom | 604 | 192 | |
| | | 5,501,675 | 03/26/1996 | Erschine | 604 | 263 | |
| FOREIGN PATENT DOCUMENTS | | | | | | | |
| | | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUB CLASS | TRAN Y/N |
| OTHER DOCUMENTS (INCLUDING AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.) | | | | | | | |
| Publication No.: US 2001/0029356 A1 Publication Date: 10/11/2001, Inventor: Vojasek, 604/263 | | | | | | | |
| Publication No.: US 2002/0004650 A1 Publication Date: 01/10/2002, Inventor: Kuracina et al., 604/198 | | | | | | | |
| Publication No.: US 2001/0027298 A1 Publication Date: 10/04/2001, Inventor: Vojtasek, 604/263 | | | | | | | |
| Examiner: | | | | | Date: | | |
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| UNITED STATES PATENT DOCUMENTS | | | | | | | |
| EXAM. INITIAL | | DOCUMENT NUMBER | DATE | INVENTOR | CLASS | SUB CLASS | FIL. DATE IF APPR |
| | | 5,533,974 | 07/09/1996 | Gaba | 604 | 110 | |
| | | 5,562,629 | 10/08/1996 | Wozencroft | 604 | 171 | |
| | | 5,562,633 | 10/08/1996 | Haughton et al. | 604 | 158 | |
| | | 5,562,683 | 10/08/1996 | Chan | 606 | 139 | |
| | | 5,573,510 | 11/12/1996 | Isaacson | 604 | 158 | |
| | | 5,584,809 | 12/17/1996 | Gaba | 604 | 110 | |
| | | 5,599,310 | 02/04/1997 | Bogert | 604 | 164.12 | |
| | | 5,611,781 | 03/18/1997 | Sircom et al. | 604 | 164 | |
| | | 5,662,610 | 09/02/1997 | Sircom | 604 | 110 | |
| | | 5,679,907 | 10/21/1997 | Ruck | 73 | 865.5 | |
| | | 5,687,907 | 11/18/1997 | Holden | 239 | 265.35 | |
| | | 5,695,467 | 12/09/1997 | Miyata et al. | 604 | 96.01 | |
| | | 5,697,907 | 12/16/1997 | Gaba | 604 | 110 | |
| | | 5,700,250 | 12/23/1997 | Erskine | 604 | 263 | |
| | | 5,718,688 | 02/17/1998 | Wozencroft | 604 | 164 | |
| | | 5,735,827 | 04/07/1998 | Adwers et al. | 604 | 263 | |
| FOREIGN PATENT DOCUMENTS | | | | | | | |
| | | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUB CLASS | TRAN Y/N |
| OTHER DOCUMENTS (INCLUDING AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.) | | | | | | | |
| | Publication No.: US 2002/0151850 A1 Publication Date: 10/17/2002, Inventor: Ferguson et al., 604/192 | | | | | | |
| | Publication No.: US 2002/0169418 A1 Publication Date: 11/14/2002, Inventor: Menzi et al., 604/164.07 | | | | | | |
| | Publication No.: US 2002/0193745 A1 Publication Date: 12/19/2002, Inventor: Ferguson, 604/192 | | | | | | |
| | Publication No.: US 2003/0100868 A1 Publication Date: 05/29/2003, Inventor: Ferguson et al., 604/263 | | | | | | |
| Examiner: | | | | | Date: | | |

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| EXAM. INITIAL | | DOCUMENT NUMBER | DATE | INVENTOR | CLASS | SUB CLASS | FIL. DATE IF APPR |
| | | 5,738,665 | 04/14/1998 | Caizza et al. | 604 | 263 | |
| | | 5,817,069 | 10/6/1998 | Arnett | 604 | 256 | |
| | | 5,865,806 | 02/02/1999 | Howell | 604 | 164 | |
| | | 5,879,337 | 03/09/1999 | Kuracina et al. | 604 | 192 | |
| | | 5,882,337 | 03/16/1999 | Bogert et al. | 604 | 110 | |
| | | 5,910,130 | 06/08/1999 | Caizza et al. | 604 | 110 | |
| | | 5,911,705 | 06/15/1999 | Howell | 604 | 110 | |
| | | 5,967,490 | 10/19/1999 | Pike | 251 | 149.1 | |
| | | 6,001,080 | 12/14/1999 | Kuracina et al. | 604 | 171 | |
| | | 6,083,202 | 07/04/2000 | Smith | 604 | 164 | |
| | | 6,117,108 | 09/12/2000 | Woehr et al. | 604 | 110 | |
| | | 6,203,527 B1 | 03/20/2001 | Zadini et al. | 604 | 110 | |
| | | 6,210,373 B1 | 04/03/2001 | Allmon | 604 | 192 | |
| | | 6,280,419 B1 | 08/28/2001 | Vojtasek | 604 | 192 | |
| | | 6,287,278 B1 | 09/11/2001 | Woehr et al. | 604 | 110 | |
| | | 6,443,929 B1 | 09/03/2002 | Kuracina et al. | 604 | 192 | |
| | | 6,485,468 B2 | 11/26/2002 | Vojtasek | 604 | 192 | |
| | | 6,517,516 | 02/11/2003 | Caizza | 604 | 110 | 10/15/99 |
| FOREIGN PATENT DOCUMENTS | | | | | | | |
| | | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUB CLASS | TRAN Y/N |
| | | | | | | | |
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